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VIA ECF AND E-MAIL (caproninysdchambers@nysd.uscourts.gov)

The Honorable Valerie E. Caproni
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Diligent Enterprise Management, LLC v. AML Global Eclipse, LLC et al.,*
No. 24-CV-02228 (VEC)

Dear Judge Caproni,

This firm represents plaintiff Diligent Enterprise Management, LLC (“Diligent”) in the above-captioned matter. We write in response to the Court’s Order, dated April 9, 2024, directing the parties to meet and confer regarding a briefing schedule and to submit the agreed-upon schedule by Wednesday, April 24, 2024 [ECF 9].

The parties have conferred regarding a proposed schedule to address, among other things, the issue of remand. However, Diligent has decided that, based on criteria independent of the lawsuit’s merits, it is unable to proceed with this lawsuit at this time. Consequently, Diligent intends to move for an order dismissing its case, without prejudice, pursuant to Rule 41(a)(2). Based on communications with counsel for the Defendants, Diligent understands that they intend to oppose this motion. Due to this, Diligent proposed a briefing deadline for the opening brief of on or before May 15, 2024, opposition brief(s) on or before June 5, 2024, and reply brief on or before June 19, 2024. As of this filing, the Defendants have not responded to the proposed schedule, other than to note their opposition to the relief that Diligent seeks, and AML Global Eclipse, LLC’s position that briefing on this issue unnecessary.

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For the reasons noted above, Diligent respectfully requests that the Court enter this proposed schedule. If deemed necessary, Diligent is available to appear for a conference with the Court to discuss this matter further.

Respectfully submitted,

/s/Darryl R. Graham

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cc: All Counsel of Record (via ECF)